

WISS et al  
Appl. No. 09/695,250

### **REMARKS/ARGUMENTS**

Reexamination of the captioned application is respectfully requested.

#### **A. SUMMARY OF THIS AMENDMENT**

By the current amendment, Applicants basically:

1. Editorially amend the specification.
2. Thank the Examiner for the allowance of claims 39-40 and for the indication of allowable subject matter in claims 11-12, 24-25 and 36<sup>1</sup>.
3. Rewrite each of claims 11-12, 24-25 and 36 as independent claims, thereby rendering claims 11-12, 24-25 and 36 allowable.
4. Editorially amend claims 18 and 29, changing the dependency of dependent claim 18 and deleting a superfluous space at the end of dependent claim 29.
5. Respectfully traverse all prior art rejections (see Remarks Section B, *infra*).
6. Add new apparatus claims 41 – 49, dependent upon allowed independent claim 39 and corresponding to dependent claims 2 – 10, respectively .
7. Add new method claims 50 – 57, dependent upon allowed independent claim 40 and corresponding to dependent claims 16 – 23, respectively .
8. Advise the Examiner of the simultaneous filing of Proposed Drawing Changes to label Figs. 1 and 2 as "Prior Art", in response to the first paragraph on page 2 of the office action (see page 16).

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<sup>1</sup> claims 11-12, 24-25 and 36 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims (see the first paragraph under the heading "Allowable Subject Matter" of the Office Action)

WISS et al  
Appl. No. 09/695,250

## B. PATENTABILITY OF THE CLAIMS

Claims 1-10, 13-23, 26-35 and 37-38 stand rejected under 35 USC §102(e) as being anticipated by EP 1006742 to Mahkonen (see the second paragraph under the heading "Claim Rejections - 35 USC §102 on page 2 of the Office Action). All prior art rejections are respectfully traversed for at least the following reasons.

Attention is directed to the International Preliminary Examination Report for the corresponding PCT application, which was submitted with the Information Disclosure Statement (IDS) filed March 17, 2003. In finding claims comparable to the US claims to have novelty, inventive step, and industrial applicability, the International Preliminary Examination Report discussed now-applied EP 1006742 to Mahkonen in detail.

Specifically, the International Preliminary Examination Report observed that Applicants' claimed invention differed from EP 1006742 to Mahkonen since Applicants require a media stream to be routed to a sequence of processors. As the IPER observed (see continuation of Box V), in D1 (i.e., EP 1006742 to Mahkonen):

each media stream is only processed by one processor. It is not likely that the man skilled in the art would modify the system in D1 to route packets to a sequence of processors.

The US Office Action incorrectly concludes that "plural types of media stream processing functions are sequentially performed relative to the packets" (emphasis supplied). The office action cites packet switch 18 and Fig. 3 of EP 1006742 to Mahkonen (see paragraph bridging pages 2 and 3 of the office action). As evident from col. 8 which explains Fig. 3, the digital signal processing platforms 14-4 through 14-6 connected to packet switch 18 are different codecs. Logically, only one of these codecs would be invoked for any given stream. Two different codecs would not be invoked sequentially. Accordingly, EP 1006742 to Mahkonen is not an anticipation, nor even a

WISS et al  
Appl. No. 09/695,250

basis for unpatentability. The rationale of the International Preliminary Examination Report provides the Examiner with a basis to withdraw the prior art rejections premised on EP 1006742 to Mahkonen.

Further, mention by EP 1006742 to Mahkonen in col. 3 (lines 36 – 38) of "160 uncoded speech samples" does not constitute a teaching of a packet as being 160 octets. In discussing prior art, EP 1006742 to Mahkonen merely mentions that a frame has a length of 160 speech samples. There does not necessarily mean that the entire frame is dedicated to a media stream or is a packet, or that a speech sample is necessarily an octet. Moreover, as the IPER correctly observed, in discussing his own invention, Mahkonen has a variable packet size (col. 10, lines 48 – 53). Hence, there is no teaching by EP 1006742 to Mahkonen of the claimed 160 octet packet for a media stream.

It is therefore respectfully requested that the prior art rejections be withdrawn and all claims allowed.

### C. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

WISS et al  
Appl. No. 09/695,250

Respectfully submitted,

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